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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,373	02/07/2002	Tomohiro Ando	219272US2	7453

22850 7590 01/05/2004

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EXAMINER

HASHEM, LISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/067,373

Applicant(s)

ANDO, TOMOHIRO

Examiner

Lisa Hashem

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-14 are pending in this office action.

***Information Disclosure Statement***

2. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 4, is attached to the instant office action.

***Drawings***

3. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on February 7, 2002 have been accepted.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 6-14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by European Patent Application EP 0966136 by Rysgaard et al, hereinafter Rysgaard.

Regarding claim 1, Rysgaard discloses a language selecting method of selecting a language in which information is transmitted from a service providing apparatus to a mobile station or mobile phone (Figure 1, 1) in a mobile communication system (as shown in Figure 1) that includes the mobile station and the service providing apparatus (Figure 1, 50) for providing services to the mobile station, which method comprises the steps of: transmitting, from the mobile station to the service providing apparatus (page 3, column 4, section 0017, lines 48-55), language select information for selecting a language in which information is to be received (page

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3, column 4, section 0018, line 1 – page 4, column 5, section 0018, line 2), when the mobile station starts communication (dialing telephone number of service provider (page 4, column 5, section 0018, lines 2-4)); receiving, at the service providing apparatus, the language select information supplied from the mobile station (this may be done via an agent at said apparatus or central server or through a telecommunications network; page 4, column 5, section 0018, lines 4-27; page 4, column 5, section 0020, lines 45-49); and transmitting, from the service providing apparatus to the mobile station, information in the language corresponding to the language select information (page 4, column 6, section 0022, lines 25-34).

Regarding claim 2, the language selecting method as claimed in claim 1 mentioned above, wherein Rysgaard further discloses the steps of receiving, at the mobile station, a notification of which language is selected by a user (page 3, column 4, section 0018, line 1 – page 4, column 5, section 0018, line 2; this may be shown on display, Figure 1, 5; page 3, column 4, section 0015, lines 1-2); and transmitting, from the mobile station to the service providing apparatus, language select information corresponding to the language selected by the user (via the telecommunications network means or agent; page 4, column 5, section 0018, lines 4-27; page 4, column 5, section 0020, lines 47-48; page 4, column 6, section 0021, lines 22-24).

Regarding claim 3, the language selecting method as claimed in claim 1 mentioned above, wherein Rysgaard further discloses the step of, when a language in which user information is stored beforehand in the mobile station is selected by a user (page 3, column 4, section 0018, lines 1-3), transmitting language select information corresponding to the language selected by the user, from the mobile station to the service providing apparatus (via the

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telecommunications network means or agent; page 4, column 5, section 0018, lines 4-27; page 4, column 5, section 0020, lines 47-48; page 4, column 6, section 0021, lines 22-24).

Regarding claim 4, the language selecting method as claimed in claim 1 mentioned above, please see the rejection to the method in claim 3 to reject the method in claim 4.

Regarding claim 5, the language selecting method as claimed in claim 1 mentioned above, wherein Rysgaard further discloses the steps of: determining, at the service providing apparatus, whether the information in the language corresponding to the language select information is transmittable; and when the information is transmittable, transmitting the information in the language corresponding to the language select information, from the service providing apparatus to the mobile station (page 4, column 6, section 0022, lines 25-34).

Regarding claim 6, Rysgaard discloses a mobile communication system (as shown in Figure 1) comprising a mobile station or mobile phone (Figure 1, 1) and a service providing apparatus (Figure 1, 50) for providing services to the mobile station, wherein the mobile station comprises a language information transmission unit or control unit for inherently transmitting, when starting communication (dialing telephone number of service provider (page 4, column 5, section 0018, lines 2-4)), language select information for selecting a language in which information is to be received, to the service providing apparatus (page 3, column 4, section 0017, lines 48-55), and the service providing apparatus comprises a language information receiving unit for inherently receiving the language select information from the mobile station (page 4, column 5, section 0018, lines 4-27; page 4, column 6, section 0021, lines 16-24), and an information transmitting unit for transmitting information in the language corresponding to the

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received language select information, to the mobile station (page 4, column 5, section 0020, lines 45-49).

Regarding claim 7, the mobile communication system as claimed in claim 6 mentioned above, wherein Rysgaard further discloses the mobile station comprises a language select receiving unit or first keyboard (Figure 1, 75) for receiving a notification of which language is selected by a user (page 3, column 4, section 0015, lines 9-11), and the language information transmitting unit or control unit (Figure 1, 70) transmits language select information corresponding to the language selected by the user to the service providing apparatus (page 3, column 4, section 0017, lines 48-55).

Regarding claim 8, the mobile communication system as claimed in claim 6 mentioned above, wherein Rysgaard further discloses when a language in which user information stored beforehand in the mobile station is selected, the language information transmitting unit transmits language select information corresponding to the selected language to the service providing apparatus (this may be done via an agent at said apparatus or central server or through a telecommunications network; page 4, column 5, section 0018, lines 4-27; page 4, column 5, section 0020, lines 45-49).

Regarding claim 9, the mobile communication system as claimed in claim 6 mentioned above, wherein Rysgaard further discloses the language information transmitting unit transmits language select information stored in advance (page 3, column 4, section 0018, line 1 – page 4, column 5, section 0018, line 2) to the service providing apparatus (this may be done via an agent at said apparatus or central server or through a telecommunications network; page 4, column 5, section 0018, lines 4-27; page 4, column 5, section 0020, lines 45-49).

Regarding claim 10, the mobile communication system as claimed in claim 6 mentioned above, wherein Rysgaard further discloses the service providing system further comprises a transmission determining unit for determining whether the information in the language corresponding to the language select information is transmittable (page 4, column 6, section 0022, lines 25-34), and the information transmitting unit transmits the information in the language corresponding to the language select information to the mobile station, when the information is determined to be transmittable by the transmission determining unit (page 4, column 5, section 0020, lines 45-49).

Regarding claim 11, Rysgaard discloses a mobile station or mobile phone (Figure 1, 1) that can receive services supplied from a service providing apparatus or central station (Figure 1, 50), comprising: a language select receiving unit or first keyboard (Figure 1, 75) for receiving language selection selected by a user (page 3, column 4, section 0015, lines 9-11); and a language information transmission unit or control unit (Figure 1, 70) for transmitting a language select information corresponding to the language selected by the user, together with a transmission request signal when starting communication (page 3, column 4, section 0017, lines 48-55).

Regarding claim 12, the mobile station as claimed in claim 11 mentioned above, wherein Rysgaard further discloses a language storage unit or fixed memory area (Figure 2, 15) for storing a plurality of language in which user information is made (page 3, column 3, section 0013, lines 26-31); and a language information storage unit or memory location (Figure 2, 30, 31, or, 32) for storing the language selected by the user (page 3, column 3, section 0013, lines

45-49); whereby transmitting a language select information corresponding to the language stored in the language information unit in advance (page 3, column 4, section 0015, lines 10-11).

Regarding claim 13, Rysgaard discloses a service providing apparatus supplying services to a mobile station, comprising: a language information receiving unit for inherently receiving language select information from the mobile station (page 4, column 5, section 0018, lines 4-27; page 4, column 6, section 0021, lines 16-24); and an information transmitting unit for transmitting information in the language corresponding to the received language select information, to the mobile station (page 4, column 5, section 0020, lines 45-49).

Regarding claim 14, the service providing apparatus as claimed in claim 13 mentioned above, wherein Rysgaard further discloses a transmission determining unit for determining whether the information in the language corresponding to the language select information is transmittable; whereby transmitting the information in the language corresponding to the language select information to the mobile station, when the information is determined to be transmittable by the transmission determining unit (page 4, column 6, section 0022, lines 25-34).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent Application Publication No. US 2001/0009854 by Kaibel et al teach a language selection method in a mobile telecommunication network; the subscriber selects a language that services can be provided in



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7. Any response to this action should be mailed to:

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**Or faxed to:**

(703) 872-9314 (for formal communications intended for entry)

**Or call:**

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (703) 305-4302. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

LH  
lh

December 18, 2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

